
AFFIDAVIT

I, the undersigned,

SAMANTHA JANE GRAHAM-MARÉ

do hereby make oath and state that:

1. I am a member of the Parliament of South Africa and the Democratic Alliance (DA) Constituency Leader for the Dr Beyers Naude Constituency.
2. I am a former Councillor of the Dr Beyers Naude Local Municipality and of the former Camdeboo Local Municipality.
3. I am a resident of Graaff-Reinet, residing at 86 Stockenstroom Street.
4. The facts contained herein are true and correct and are within my personal knowledge save where it is otherwise stated or where it appears otherwise from the context.
5. My first action on the sewerage problem in Graaff-Reinet was on 19 January 2018 whereby I forwarded a Whatsapp video of the sewerage pump at Tronkdrif overflowing to the Municipal Manager with a request to address the issue urgently (see attached Annexure A).
6. I followed up with an email on 22 January 2018 which included some history on the Tronkdrif sewerage pump station (see attached email marked as Annexure B).
7. On 16 July 2018, I was contacted by a resident to investigate a sewerage leak from the 7de Laan pump station which was running under the road and towards the Nqweba Dam. I followed up the meeting with an email to the Municipal Manger, including photographs. (See attached Annexure C).
8. On 20 March 2019, I accompanied Hon. Vicky Knoetze, MPL, former DA Constituency Leader for Dr Beyers Naude and Mr Claud Arnott, Ward Committee Member for Ward 2 and member of the Graaff-Reinet Ratepayers' Association on a site inspection of the sewage pump stations at Tronkdrif and at Kroonvale Bridge. The extent of the sewage spill was extensive and Hon. Knoetze undertook to follow up on this issue at the Eastern Cape Provincial Legislature. The questions were never reflected on Hansard.

9. Following repeated reports of the ongoing spills at Tronkdrif by residents of Cypress Grove, I undertook a site inspection with several residents of Tronkdrif, Kroonvale Bridge and Collie Koeberg pump stations on 4 October 2019. At all 3 areas, there was evidence of sewerage spillage or it was busy spilling. All 3 of these sites run into the Sundays River.
10. On 24 October 2019, I drafted a detailed report (Annexure D), including a 2017 report from the Department of Water Affairs on the same issue (Annexure E), which I submitted to the Minister of COGTA (Annexure F), Minister of Human Settlements, Water and Sanitation (Annexure G) and Minister of Environmental Affairs, Forestry and Fisheries (Annexure H), as well as to the MEC of COGTA (Annexure I) and the MEC of Economic Development, Environmental Affairs and Tourism (Annexure J) in the Eastern Cape.
11. As of today's date, I have received a written response from the Ministers of Human Settlements, Water and Sanitation (Annexure K) and Environmental Affairs, Forestry and Fisheries (Annexure L).
12. On 28 November 2019, I submitted a Question for Written Reply to the Minister of Human Settlements, Water and Sanitation on the matter of the sewerage in Graaff-Reinet (Annexure M).
13. On 15 January 2020, I received a written response from the Minister of Human Settlements, Water and Sanitation in which she advised that the Dr Beyers Naude Local Municipality had attended to all the issues raised and that the pumps were working at all the pump stations. They further confirmed that full rehabilitation had been done on all spill sites (Annexure N).
14. On 20 January 2020, I was copied in an email from the Graaff-Reinet Ratepayers' and Residents Association in which an email from Mr Ivor Berrington, Acting Director: Engineering and Planning, was attached. The email was dated 20 December 2019 and in it the writer stated that all pump stations were working correctly and that there were no reports of spillages. (Annexures O and P)
15. On 23 January 2020, I was sent several pictures and videos on Facebook Messenger of the pumpstations at Tronkdrif overflowing. This clearly indicated that not one of the 3 pumps were working.
16. On 25 January 2020, I received another message with photographs from the same author indicating that the pump stations were still overflowing at Tronkdrif.
17. Between 17 January 2020 and 31 January 2020, I received further WhatsApp messages from residents with pictures and copies of reports to the Municipality about the sewerage spills at the pump stations at Tronkdrif.
18. On 29 January 2020, I reported the situation to Mr Andrew Lucas of the Department of Human Settlements, Water and Sanitation as per the

instruction from the Minister in her response to my report. (Annexure Q). I have had no acknowledgement or response to my email.

19. On 28 January 2020, a resident posted pictures and a video on Facebook on the Graaff-Reinet Neighbourhood Watch and Community Group of the sewerage running from the 7de Laan pump station towards Nqweba Dam. (Annexure R). This indicated that the pump at that pump station was not working.
20. Despite the continued assertions by the Municipality that the sewerage pump stations have been repaired and are in working order, all indications are that this is not the case and that both the Nqweba Dam and the Sundays River are being polluted by sewerage from the dysfunctional pumpstations.
21. The residents of Cypress Grove are under constant attack from the stench of sewage and are unable to operate their hospitality businesses or even keep the windows of their homes open due to the unbearable smell that assails them.
22. Given the aforesaid and the continued failure of the Municipal Manager, Dr Edward Rankwana, to address the situation, I wish to lay criminal charges against him and his municipality for the continued intentional and willful contamination and pollution of the Nqewba Dam and Sundays River in terms of Section 151 (1) of the National Water Act 36 of 1998.
23. The aforesaid section reads as follows: s151 (1) No person may –
 - (i) Unlawfully and intentionally or negligently commit any act or omission which pollutes or is likely to pollute a water resources;
 - (j) unlawfully and intentionally or negligently commit any act or omission which detrimentally affects or is likely to affect a water resource;

(2) Any person who contravenes any provision of subsection (1) is guilty of an offence and liable, on the first conviction, to a fine or imprisonment for a period not exceeding five years, or to both a fine and such imprisonment and, in the case of a second or subsequent conviction, to a fine or imprisonment for a period not exceeding ten years or to both a fine and such imprisonment.

SAMANTHA JANE GRAHAM-MARÉ

THUS SIGNED and SWORN to BEFORE ME at
.....on this day theof February 2020,
the Deponent having knowledge that she knows and understands the content of this
Affidavit, and that she has no objection to taking the prescribed oath, which she

regards as binding on her conscience and that the allegations herein contained are all true and correct.